

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Frank Michael Anderson

Case: 4:21-mj-30524

Judge: Curtis Ivy, Jr.

Filed: 11-08-2021

IN RE SEALED MATTER (kcm)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/14/18 through at least 5/10/18 in the county of Genesee in the Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1344(1);	Bank fraud;
18 U.S.C. § 1029(a)(2); and	Access device fraud; and
18 U.S.C. § 1028A(a)(1)	Aggravated identity theft

This criminal complaint is based on these facts:

See attached affidavit

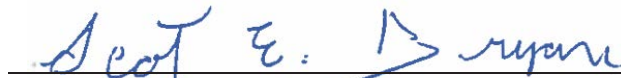
☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

November 8, 2021

Date: \_\_\_\_\_

City and state: Flint, Michigan

  
Complainant's signature

Scot Bryan, Special Agent-USSS

Printed name and title

  
Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, Scot Bryan, being duly sworn, state the following is true and accurate to the best of my knowledge and belief.

1. I am a Senior Special Agent (SSA) with the U.S. Secret Service (USSS) within the Department of Homeland Security (DHS) and have been so employed since February 11, 2002. I am currently assigned to the Saginaw, Michigan, Resident Office. In preparation for my employment with the USSS, I successfully completed criminal investigator training at the Federal Law Enforcement Training Center in Glynco, Georgia. I also successfully completed training with the USSS at the James J. Rowley Training Center in Beltsville, Maryland. Before working for the USSS, I served for five years as a state trooper with the New Hampshire State Police. The combination of both my current and former employment has provided me with training and experience in criminal investigation, interviewing suspects, and financial crimes. In June 2004, I successfully completed the Federal Law Enforcement Training Center's Treasury Computer Forensics Training Program in Glynco, Georgia. I have since received advance training from Access Data and Guidance Software. I am A+ Certified with a basic knowledge of computer hardware and software. I have conducted multiple computer forensic examinations since completing this training.

2. I make this affidavit in support of a criminal complaint and arrest warrant charging Frank Michael Anderson with violating 18 U.S.C. § 1344(1), bank fraud; 18 U.S.C. § 1029(a)(2), access fraud device; and 18 U.S.C. § 1028A(a)(1), aggravated identity theft. The facts in this affidavit are based upon personal knowledge from my participation in this investigation and based upon information received from bank investigators and other law enforcement personnel and their reports and records. The information outlined below is provided for the limited purpose of establishing probable cause, and does not contain all details or facts that exist pertaining to the investigation. The transactions described below set forth only some—but not all—of the fraudulent conduct identified and under investigation.

***Probable Cause***

3. On March 9, 2018, Chris Allen, Corporate Investigator for Fifth Third Bank, informed the USSS about credit card fraud and identity theft emanating from Flint, Michigan. Allen advised the fraud had occurred in the name of Frank Anderson. Allen advised that Fifth Third Bank customers with the same or similar names to Frank Anderson were, for the most part, the reported victims. Anderson would use the victims' stolen personal identification information, specifically, their name and social security number, to open checking and credit accounts at Fifth Third Bank. Based on Anderson's false representations, Fifth Third Bank opened checking

accounts, savings accounts, and credit accounts for Anderson, who provided a mailing address in the Flint area to receive the cards and statements. At the time of the application, the victims were unaware that an account had been opened in their names at Fifth Third Bank, and in some cases, the victims had never had a Fifth Third Bank account.

4. In June 2018, Bryan Rozanski, Citibank Lead Investigator, informed the USSS of substantial fraud being committed through identity theft in Flint, Michigan and surrounding areas. Rozanski reported that merchant credit accounts, backed by Citibank, were applied for online from the Flint area, and the accounts were then being used in Michigan. Rozanski further stated that in applying for these merchant credit accounts, Anderson used the name Frank Anderson (or a derivative thereof), the social security number, the address, and telephone number of another person. Based on Anderson's false representations, Citibank extended a line of credit to Anderson, who at times used these accounts before the victims were even aware the account had been activated. Anderson used these accounts before obtaining the physical card by imputing the identity-theft victims' social security number into the merchant's card reader. In these instances, the victims were unaware an account had been created with their personal information until they received the physical card and statement. Rozanski provided information captured by Citibank, including the victims' personal identification information,

the internet protocol address used in making the credit application, and the specific device identification number used to make the credit application.

5. Law enforcement personnel obtained video surveillance and still photographs of the fraudulent transactions. Postal Inspector Andre Brown, of the United States Postal Inspection Service, reviewed this evidence and identified Anderson as the person making the fraudulent transactions set forth below. Postal Inspector Brown positively identified Frank Anderson from previous criminal investigations of him. Furthermore, on some occasions, Anderson presented his valid Michigan Driver license as identification to the merchants during the fraudulent transactions.

6. I have reviewed video and still photos from video of several fraudulent transactions.

7. On February 14, 2018, Anderson used an account number ending in numbers 9357 issued from Fifth Third Bank, in the name of Frank Anderson, to obtain a cash advance at a branch office of Chase Bank, located at 4380 West Corunna Road, Flint, in the Eastern District of Michigan. The cash advance was for \$4,500. This transaction affected interstate commerce as Fifth Third Bank approved this transaction in or near Cincinnati, Ohio. I have reviewed still photos from video surveillance footage, which shows Anderson making this transaction. Anderson also provided the Chase Bank teller with his Michigan driver's license during this

transaction. I have seen Anderson in person and he is African-American. Fifth Third Bank reported this transaction as fraudulent. Fifth Third Bank records show that the application for the credit account ending in numbers 9357 used a social security number ending in numbers 3195. Fifth Third Bank further reports that this social security number belongs to a Frank Anderson of Stanton Island, New York. The New York Department of Motor vehicles records report that this Frank Anderson, of Staten Island, is a 59-year-old Caucasian male. Fifth Third Bank reported that Frank Anderson of Staten Island did not have an account with their financial institution before this fraudulent activity. Further, the application for the account ending in numbers 9357 was mailed to an address in Flint, Michigan rather than to an address in Staten Island, N.Y. Fifth Third Bank investigators spoke with Frank Anderson of Staten Island and advised them of the account opened in his name using his social security number. He replied, "Best of luck." Since this fraudulent transaction on February 14, 2018, Anderson has not made payments to Fifth Third Bank related to his withdrawal of money from this account.

8. On March 31, 2018, Anderson used an account number ending in the numbers 8900 issued from Citibank, in the name of Frank Anderson, to buy items at Best Buy on Miller Road in Flint, within the Eastern District of Michigan. Anderson bought items totaling \$3,815.98. This transaction affected interstate commerce as Citibank approved this transaction in or near Omaha, Nebraska. I

have reviewed video surveillance footage of this transaction, which shows Anderson buying items on this date. Both Best Buy and Citibank reported this transaction as fraudulent. Citibank records show that the application for the credit account ending in numbers 8900 used a social security number ending in the numbers 3108. Citibank further reports that this social security number belongs to a Francis Anderson of Nanuet, New York. Francis Anderson from Nanuet, New York submitted an affidavit of fraud to Citibank wherein he confirmed that he did not apply for or authorize the application of a Home Depot credit card in Michigan. Since this fraudulent transaction on March 31, 2018, Anderson has not made payments to Best Buy or Citibank related to this account.

9. On May 10, 2018, Anderson used an account number ending in numbers 9057 issued from Citibank, in the name of Frank Anderson, to buy items at Home Depot on West Pierson Road in Flushing, Michigan, in the Eastern District of Michigan. Anderson bought items totaling \$4,238.94. This transaction affected interstate commerce as Citibank approved this transaction in or near Omaha, Nebraska. I have reviewed video surveillance footage of this transaction, which shows Anderson buying items on this date. Both Home Depot and Citibank reported this transaction as fraudulent. Citibank records show that the application for the credit account ending in 9057 used a social security number ending in numbers 5282. Citibank further reports that this social security number belongs to

a Frank Anderson of Silver city, New Mexico. New Mexico motor vehicle records report that Frank Anderson from New Mexico is a 78-year-old Caucasian male. Citibank investigator, Bryan Rozanksi, reports that Citibank has a current account with Frank Anderson from Silver City New Mexico, but that the account ending in 9057 has been closed as a fraud account due to unauthorized activity. Since this fraudulent transaction on May 10, 2018, Anderson has not made payments to Home Depot or Citibank related to this account.

10. Based upon a review of Anderson's criminal history, I know that his true social security number is ends in numbers 7487. I also know, based on documentation provided by Citibank and Fifth Third Bank, that all of the applications for the accounts described above, from which Anderson made fraudulent transactions, contained social security numbers different than Anderson's true social security number.

11. I know, based upon information provided by Citibank and Fifth Third Bank that both financial institutions are federally insured through FDIC and were so insured in 2018.

12. Under 18 U.S.C. § 1029(e)(1)&(3), I know that the term "access device" means any card, plate, code, account number, electronic serial number . . . or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value[.]




Under this same section, I know that the term “unauthorized access device” means any access device that is lost, stolen, expired, revoked, canceled, or obtained with intent to defraud. Under 18 U.S.C. § 1028(d)(7)(A), I know that the term “means of identification” includes the name and social security number of another person that may be used, alone or in conjunction with any other information, to identify a specific person. Under 18 U.S.C. § 1028A(c)(4), I know that access device fraud is an enumerated felony for aggravated identity theft. Under 18 U.S.C. § 1028A(c)(5), I know that bank fraud is an enumerated felony for aggravated identity theft.

13. Based on the foregoing, I have probable cause to believe that from about February 14, 2018, through at least May 10, 2018, in the Eastern District of Michigan and elsewhere, Frank Anderson knowingly executed a scheme to defraud a financial institution of money by means of false representations with the intent to deceive and deprive the financial institution of something of value, in violation of 18 U.S.C. § 1344(1), bank fraud.

14. Based on the foregoing, I have probable cause to believe that from about February 14, 2018, through at least May 10, 2018, in the Eastern District of Michigan and elsewhere, Frank Anderson knowingly and with intent to defraud used one or more unauthorized access devices and by doing so obtained items of


value exceeding \$1000 during this period, in violation of 18 U.S.C. § 1029(a)(2), access device fraud.

15. Based on the foregoing, I have probable cause to believe that from about February 14, 2018, through at least May 10, 2018, in the Eastern District of Michigan and elsewhere, Frank Anderson knowingly used, without lawful authority, a means of identification of another person during and in relation to his commission of bank fraud and access device fraud, as described above, in violation of 18 U.S.C. § 1028A(a)(1), aggravated identity theft.

  
Scot Bryan  
Senior Special Agent, U.S. Secret  
Service

Sworn and subscribed to before me and/or by reliable electronic means on

November 8, 2021  
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Curtis Ivy, Jr.  
United States Magistrate Judge